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18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 SAN JOSE DIVISION

21 ARTHUR G. MAIONCHI, EDWARD A.
MAIONCHI, THOMAS S. DINETTE AND
22 CHARLES J. KRAFT,

23 Plaintiffs,

24 vs.

25 UNION PACIFIC CORPORATION, et al.,

26 Defendants.
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Case No. C 03 0647 JF

STIPULATED ORDER OF DISMISSAL

1 The parties, Plaintiffs Arthur G. Maionchi, Edward A. Maionchi, Thomas S. Dinette and
2 Charles J. Kraft, on the one hand, and Defendant Union Pacific Corporation, on the other hand,
3 hereby stipulate through their undersigned counsel that:

4 1. The parties executed a Settlement Agreement effective on or about February 25,
5 2008. In the Settlement Agreement the parties agreed to stipulate to an order of dismissal of this
6 Action with prejudice.

7 2. Subject to the terms and conditions of the Settlement Agreement, the parties
8 request that this Court dismiss with prejudice this action and all claims alleged therein.
9

10 Dated: February 26, 2008

ALLEN MATKINS LECK GAMBLE &
MALLORY & NATSIS LLP
DAVID D. COOKE
CATHY A. HONGOLA

COX CASTLE & NICHOLSON LLP
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14 By: /s/ David D. Cooke

15 DAVID D. COOKE
16 Attorneys for Plaintiffs
17 Arthur G. Maionchi, Edward A. Maionchi,
Thomas S. Dinette, and Charles J. Kraft

18 Dated: February 26, 2008

BARG COFFIN LEWIS & TRAPP, LLP
JOHN F. BARG
MARC A. ZEPPETELLO

20 By: /s/ John F. Barg

21 JOHN F. BARG
22 Attorneys for Defendant
23 Union Pacific Corporation
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Attestation Regarding Signature: This document is being filed electronically under my User ID and Password. Pursuant to General Order 45, Section X.B, I hereby attest that concurrence in this filing of this document has been obtained from each of the other signatories to this document.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed February 26, 2008 in San Francisco, California.


/s/ David D. Cooke
David D. Cooke

ORDER

PURSUANT TO RULE 41 OF THE FEDERAL RULES OF CIVIL PROCEDURE AND THE STIPULATION OF THE PARTIES, AND GOOD CAUSE APPEARING THEREFOR, the instant action and all claims alleged therein are hereby dismissed with prejudice. Each party shall bear its own costs.

IT IS SO ORDERED.

Dated: 2/29/08



Hon. Jeremy Fogel
United States District Judge